

**OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

June 22, 2015

The Honorable Ernest Y. Martin
Chair and Presiding Officer
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

RECEIVED
CITY CLERK
C & C OF HONOLULU
2015 JUN 22 PM 1:55

Dear Chair Martin and Councilmembers:

SUBJECT: Bill 17 (2015), CD1, Relating to HART Operating Budget;
Bill 18 (2015), CD1, FD1, Relating to HART Capital Budget; and
Bill 19 (2015), Relating to Authorizing the Issuance and Sale of
General Obligation Bonds and Bond Anticipation Notes in the
Principal Amount Equal to the Aggregate of the Amounts
Appropriated by the City Council in the HART Capital Budget
Bill 18 (2015), CD1, FD1

I am returning, unsigned Bill 17 (2015), CD1; Bill 18 (2015), CD1, FD1; and Bill 19 (2015), which, respectively, relate to the operating budget for Honolulu Authority for Rapid Transportation (HART), to HART's capital budget, and to the issuance and sale of general obligation bonds and bond anticipation notes in the principal amount equal to the aggregate of the amounts appropriated by the City Council in the HART capital budget Bill 18, CD1, FD1. Not only does the Revised Charter of the City and County of Honolulu (2000), as amended (RCH or Charter), not afford the City Council the degree of fiscal oversight reflected in these three bills *per se*, Bill 19 is also not authorized by the RCH Article XVII, Public Transit Authority (Article 17), as it is premised on the City Council appropriation for HART's capital projects.

These three bills reflect the exercise by the City Council of authority over the monies and budgets of HART that the City Council does not have under Article 17. While the Charter does provide the City Council with authority over certain matters related to HART which is a semi-autonomous transit authority, the Charter does not afford the City Council the degree of fiscal oversight reflected in Bill 17 (2015), CD1; Bill 18 (2015), CD1, FD1; and Bill 19 (2015).

The Honorable Ernest Y. Martin
Chair and Presiding Officer
and Members
June 22, 2015
Page 2

Prior communications to the City Council¹ contain the background and details about the extent of the City Council's legislative authority under the Charter to enact ordinances relating to HART monies and the HART budgets.

For the reasons indicated above, I am returning these three bills without my signature of approval, in lieu of any other action available to me on these bills.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Caldwell", with a long horizontal flourish extending to the right.

Kirk Caldwell
Mayor

¹ Department Communication No. 149 (2011), Mayor's Message No. 74 (2011), Mayor's Message No. 95 (2011), and Mayor's Message No. 61 (2012).



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2015 to June 30, 2016 are hereby provided and appropriated for the purposes set forth in Sections 2 through 3:

OPERATING FUNDS

<u>FUND CODE</u>	<u>SOURCE OF FUNDS</u>	<u>AMOUNT</u>	<u>LESS INTERFUND TRANSFER</u>	<u>NET AMOUNT</u>
GN	General Fund	\$231,105,000	\$231,105,000	\$0
TR	Transit Fund	29,212,800	10,031,500	19,181,300
	TOTAL	\$260,317,800	\$241,136,500	\$19,181,300



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2015 to June 30, 2016 are appropriated as indicated to the following activities in the UTILITIES OR OTHER ENTERPRISES function.

FUNCTIONS, PROGRAMS & ACTIVITIES	NUMBER OF POSITIONS (F.T.E.)	SALARIES	CURRENT EXPENSES	EQUIPMENT	TOTAL ALL FUNDS	SOURCE OF FUNDS
<u>UTILITIES OR OTHER ENTERPRISES</u>						
MASS TRANSIT: Honolulu Authority for Rapid Transportation						
Rapid Transit	139.00	\$9,497,600	\$5,156,300	\$6,000	\$14,659,900	\$14,659,900 TR
TOTAL UTILITIES OR OTHER ENTERPRISES	139.00	\$9,497,600	\$5,156,300	\$6,000	\$14,659,900	\$14,659,900
UTILITIES OR OTHER ENTERPRISES SOURCE OF FUNDS						
GN General Fund		\$0				
TR Transit Fund		14,659,900				
TOTAL UTILITIES OR OTHER ENTERPRISES		\$14,659,900				



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

SECTION 3. The monies described in Section 1 for the fiscal year July 1, 2015 to June 30, 2016 are appropriated as indicated to the following activities in the MISCELLANEOUS function.

FUNCTIONS, PROGRAMS & ACTIVITIES	NUMBER OF POSITIONS (F.T.E.)	SALARIES	CURRENT EXPENSES	EQUIPMENT	TOTAL ALL FUNDS	SOURCE OF FUNDS
MISCELLANEOUS						
RETIREMENT AND PENSION CONTRIBUTIONS:						
Retirement System Contributions --Employer's Share for HART	0.00	\$0	\$1,457,248	\$0	\$1,457,248	\$1,457,248 TR
FICA Tax--Employer's Share for HART	0.00	0	719,222	0	719,222	719,222 TR
Hawaii Employer-Union Health Benefits Trust Fund for HART	0.00	0	1,889,505	0	1,889,505	1,889,505 TR
OTHER MISCELLANEOUS:						
Workers' Compensation for HART	0.00	0	250,083	0	250,083	250,083 TR
Unemployment Compensation for HART	0.00	0	10,342	0	10,342	10,342 TR
Provision for Other Post-Employment Benefits for HART	0.00	0	195,000	0	195,000	195,000 TR
TRANSFERS TO OTHER FUNDS:						
Transfer to General Fund for Central Administrative Services Expenses	0.00	0	1,010,100	0	1,010,100	1,010,100 TR
Transfer to General Fund for Services Provided to Honolulu Authority for Rapid Transportation	0.00	0	1,021,400	0	1,021,400	1,021,400 TR
Transfer to General Fund for Debt Service	0.00	0	8,000,000	0	8,000,000	8,000,000 TR
Transfer to Transit Fund	0.00	0	231,105,000	0	231,105,000	231,105,000 GN
TOTAL MISCELLANEOUS	0.00	\$0	\$245,657,900	\$0	\$245,657,900	\$245,657,900

**MISCELLANEOUS
SOURCE OF FUNDS**

GN General Fund	\$231,105,000
TR Transit Fund	14,552,900
TOTAL MISCELLANEOUS	\$245,657,900



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

SECTION 4. The sums appropriated above are totalled as follows:

<u>FUND CODE</u>		<u>GROSS APPROPRIATIONS BY SOURCE OF FUNDS</u>	<u>AGENCY</u>	<u>MISCELLANEOUS</u>	<u>TOTAL</u>
GN	General Fund		\$0	\$231,105,000	\$231,105,000
TR	Transit Fund		14,659,900	14,552,900	29,212,800
TOTAL			14,659,900	\$245,657,900	\$260,317,800
<u>FUNCTION</u>		<u>TOTAL</u>	<u>INTERFUND TRANSFER</u>	<u>NET TOTAL</u>	
Utilities or Other Enterprises		\$14,659,900	\$0	\$14,659,900	
Miscellaneous		245,657,900	241,136,500	4,521,400	
TOTAL		\$260,317,800	\$241,136,500	\$19,181,300	



A BILL FOR AN ORDINANCE

SECTION 5. General Provisos.

(a) As used in this Ordinance:

"Agency" includes any department, office, board, commission, or other government unit of the City and County of Honolulu, as the case may be.

"Authority" means the Honolulu Authority for Rapid Transportation.

"Charter" or "RCH" means the Revised Charter of Honolulu 1973, as amended.

"City" means the City and County of Honolulu.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the Hawaii State government, the government of any other state, any political subdivision of any state, or any quasi-governmental entity.

"ROH" means the Revised Ordinances of Honolulu 1990, as amended.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency (2) any private source including monetary gifts whose use is specified by the donor or (3) any combination thereof. When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

All such monies specified in Sections 2 and 3 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Sections 2 and 3 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

(c) At the close of each quarter, the Authority shall submit to the Council a Statement of Cash Balances by Fund showing for each quarter for each individual fund the cash balance at the start of the accounting period and the cash balance at the end of the month.

(d) No transfer of funds shall be made from any activity unless such transfer complies with the requirements set forth in ROH Section 2-17.2(c).

(e) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.

(f) No monies shall be expended by the Honolulu Authority for Rapid Transportation for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the City Council.

SECTION 6. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2015 to June 30, 2016, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2016, Volume 1 (Operating Program and Budget), and as amended in any Executive Operating Program amendments, is hereby incorporated by reference and adopted as an integral part of this ordinance. The detailed Statement of Revenues and Surplus contained therein may be further amended regarding any applicable fund by an amendment to the Executive Operating Budget ordinance, Executive Capital Budget ordinance, Legislative Budget ordinance, Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, or Capital Budget ordinance for the Honolulu Authority for Rapid Transportation. In case of any conflict between the substantive provisions of the Executive Operating Program as transmitted and this ordinance or the above budget amendments, the provisions of this ordinance and any of the above budget amendment shall prevail.

SECTION 7. Should monies received from the State of Hawaii for collection of the county surcharge on state general excise and use tax exceed the amounts specified hereinbefore in Sections 1 and 3, the excess is hereby appropriated to the general fund and shall be transferred from the general fund to the transit fund. Within 14 days of the transfer, the Director of Budget and Fiscal Services shall report to the Council on the excess amount(s) appropriated and transferred to the transit fund.

SECTION 8. The amendments to the Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, as may be attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

SECTION 9. This Ordinance takes effect on July 1, 2015.

INTRODUCED BY:

Ernest Martin (BR)

DATE OF INTRODUCTION:

March 2, 2015

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 2015.

KIRK CALDWELL, Mayor
City and County of Honolulu



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL 17 (2015), CD1

A BILL FOR AN ORDINANCE

AMENDMENTS TO THE HART OPERATING BUDGET

<u>FUNCTION/PROGRAM/ AGENCY/ACTIVITY</u>	<u>AMENDMENT</u>	<u>POS.</u>	<u>AMOUNT</u>
UTILITIES OF OTHER ENTERPRISES			
MASS TRANSIT			
Honolulu Authority for Rapid Transportation			
Rapid Transit	Reduce funding for salaries as requested by D-221		(\$342,400) S TR
Rapid Transit	Increase funding for current expenses as requested by D-221		\$500,000 CE TR
Rapid Transit	Add proviso: "The Honolulu Authority for Rapid Transportation (HART) shall report to the Honolulu City Council on their efforts to broadcast their meetings."		\$0 CE TR
MISCELLANEOUS			
RETIREMENT AND PENSION CONTRIBUTIONS			
Hawaii Employer's Union Health Benefits Trust Fund for HART	Reduce funding for current expenses as requested by D-221		(\$1) CE TR

SECTION 5. GENERAL PROVISOS

NEW SECTION

Add new section 8:

"SECTION 8. The Amendments to the Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, as may be attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance."

SECTION 8.

Amend language in Section 8 as follows: SECTION [8] 9. This Ordinance [will take] takes effect on July 1, 2015.

- END OF BILL -

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

ORDINANCE

BILL 17 (2015), CD1

Introduced: 03/02/15

By: ERNEST MARTIN (BR)


Committee: BUDGET

Title: A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID
TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016.

Voting Legend: * = Aye w/Reservations

03/11/15	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 ABSENT: PINE.
04/08/15	BUDGET	CR-127 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
04/11/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR- ADVERTISER.
04/22/15	COUNCIL/PUBLIC HEARING	CR-127 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
04/29/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR- ADVERTISER.
05/12/15	SPECIAL BUDGET	CR-170 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.
06/03/15	COUNCIL	CR-170 ADOPTED AND BILL 17 (2015), CD1 PASSED THIRD READING AS AMENDED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL **18 (2015), CD1, FD1**

A BILL FOR AN ORDINANCE

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2015 to June 30, 2016 are hereby provided and appropriated for the purposes set forth in Section 2:

FUND CODE	SOURCE OF FUNDS	AMOUNT	TOTAL
FEDERAL FUNDS			
FG	Federal Grants Fund	\$ 178,949,425	\$ 178,949,425
GENERAL OBLIGATION BONDS:			
TF	Transit Improvement Bond Fund	\$ 266,017,311	\$ 266,017,311
TRANSIT FUND:			
TR	Transit Fund	\$ 151,531,349	\$ 151,531,349
TOTAL ALL FUNDS			\$ 596,498,085



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL 18 (2015), CD1, FD1

A BILL FOR AN ORDINANCE

SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2015 to June 30, 2016 are appropriated as indicated to the following projects and public improvements in the UTILITIES OR OTHER ENTERPRISES function. Nothing in this section shall be construed as restricting the allocation of monies among the work phase appropriations (e.g., planning, design, and construction).

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE	SOURCE OF FUNDS	TOTAL ALL FUNDS
<u>UTILITIES OR OTHER ENTERPRISES</u>				
MASS TRANSIT				
<u>TRANSPORTATION SERVICES</u>				
2007005	HONOLULU HIGH CAPACITY TRANSIT PROJECT	- L	178,949,425 FG	596,498,085
		521,000 P	266,017,311 TF	
	Plan, design, construct, relocate, and other for the Locally	1,400,000 D	151,531,349 TR	
	Preferred Alternative. At least \$3,000,000 shall be appropriated	341,577,085 C		
		- I		
		- E		
		3,000,000 R		
		250,000,000 X		
		- A		
TOTAL UTILITIES OR OTHER ENTERPRISES		\$ 596,498,085	\$ 596,498,085	\$ 596,498,085



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL **18 (2015), CD1, FD1**

A BILL FOR AN ORDINANCE

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE	SOURCE OF FUNDS	TOTAL ALL FUNDS
UTILITIES OR OTHER ENTERPRISES				
SOURCE OF FUNDS				
	FG Federal Grants Fund		178,949,425	
	TF Transit Improvement Bond Fund		266,017,311	
	TR Transit Fund		151,531,349	
	TOTAL SOURCE OF FUNDS		<u>\$ 596,498,085</u>	
WORK PHASE				
	L Land	\$	-	
	P Planning		521,000	
	D Design		1,400,000	
	C Construction		341,577,085	
	I Inspection		-	
	E Equipment		-	
	R Relocation		3,000,000	
	X Other		250,000,000	
	A Art		-	
	TOTAL WORK PHASES		<u>\$ 596,498,085</u>	



A BILL FOR AN ORDINANCE

SECTION 3. General Provisos.

(a) As used in this Ordinance:

"Authority" means the Honolulu Authority for Rapid Transportation.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the Hawaii State government, the government of any other state, any political subdivision of any state, or any quasi-governmental entity.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency; (2) any private source including monetary gifts whose use is specified by the donor; or (3) any combination thereof. When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

All such monies specified in Section 2 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Section 2 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

The Authority shall report to the Council no later than 30 days after June 30 detailing, for the capital budget fiscal year just ended, the amount of any excess monies received, and the function, program, and project to which the monies have been allotted for expenditure.

(c) At the close of the each quarter, the Authority shall submit to the Council a Statement of Cash Receipts and Disbursements showing for each quarter for each individual fund the cash balance at the start of the accounting period, the cash receipts and disbursements during the period, and the cash balance at the end of the month of each month of the quarter covered by the report.

(d) Any appropriation authorized in this ordinance or any amendment thereto shall be valid for the fiscal year July 1, 2015 to June 30, 2016 and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, 2017.



A BILL FOR AN ORDINANCE

(e) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.

(f) No monies shall be expended by the Honolulu Authority for Rapid Transportation for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the City Council.

(g) The project number is included for accounting purposes only. If there is a conflict between the number and the project title in this ordinance, the project title shall prevail.

SECTION 4. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2015 to June 30, 2016, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2016, Volume 1 (Operating Program and Budget), and as amended in any Executive Operating Program amendments, is hereby incorporated by reference and adopted as an integral part of this ordinance. The detailed Statement of Revenues and Surplus contained therein may be further amended regarding any applicable fund by any amendment to the Executive Operating Budget ordinance, Executive Capital Budget ordinance, Legislative Budget ordinance, Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, or Capital Budget ordinance for the Honolulu Authority for Rapid Transportation. In case of any conflict between the substantive provisions of the Executive Operating Program as transmitted and this ordinance or the above budget amendments, the provisions of this ordinance and any of the above budget amendments shall prevail.

SECTION 5. The amendments to the HART Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL **18 (2015), CD1, FD1**

A BILL FOR AN ORDINANCE

AMENDMENTS TO THE HART CAPITAL BUDGET

CD1 Amendments = Plain Text; FD1 Amendments = *Italic Text*

AMENDMENTS TO THE HART CAPITAL BUDGET AND PROGRAM

<u>FUNCTION/PROGRAM/PROJECT</u>	<u>AMENDMENT</u>	<u>AMOUNT</u>	<u>PH</u>	<u>AMOUNT</u>	<u>FD</u>
UTILITIES OR OTHER ENTERPRISES					
MASS TRANSIT					
HONOLULU AUTHORITY FOR RAPID TRANSPORTATION					
2007005 HONOLULU HIGH CAPACITY TRANSIT PROJECT	Amend funding and amend description to read: Plan, design, construct, [inspect, relocate, acquire land, equipment and art work] <u>relocate, and other</u> for the Locally Preferred Alternative. <u>At least \$3,000,000 shall be appropriated to assist with the relocation of the Blood Bank of Hawaii which will be adversely affected by the project.</u>	(\$2,465,900)	D	\$126,674,910	FG
		(\$985,342,600)	C	\$266,017,311	TF
		\$3,000,000	R	(\$1,447,500,721)	TR
		(\$70,000,000)	X		
2007005 HONOLULU HIGH CAPACITY TRANSIT PROJECT	<i>Increase funding for construction.</i>	\$174,248,385	C	\$52,274,515	FG
				\$121,973,870	TR

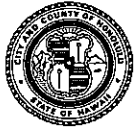
NEW SECTION.

Amend language to add new section as follows: "SECTION 5. The amendments to the HART Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance."

SECTION 5.

Amend language in Section 5 as follows: "SECTION [5] 6. This Ordinance takes effect on July 1, 2015."

- END OF BILL -



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 18 (2015), CD1, FD1

A BILL FOR AN ORDINANCE

SECTION 6. This Ordinance takes effect on July 1, 2015.

INTRODUCED BY:

Ernest Martin (BR)

DATE OF INTRODUCTION:

March 2, 2015
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

ORDINANCE

BILL 18 (2015), CD1, FD1

Introduced: 03/02/15

By: ERNEST MARTIN (BR)

Committee: BUDGET

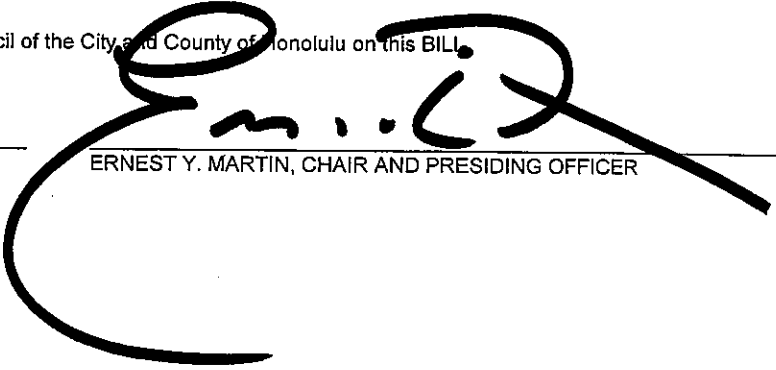
Title: A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID
TRANSPORTATION CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2015 TO
JUNE 30, 2016.

Voting Legend: * = Aye w/Reservations

03/11/15	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 ABSENT: PINE.
04/08/15	BUDGET	CR-128 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
04/11/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/22/15	COUNCIL/PUBLIC HEARING	CR-128 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
04/29/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
05/12/15	SPECIAL BUDGET	CR-171 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.
06/03/15	COUNCIL	BILL AMENDED TO FD1. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. CR-171 ADOPTED AND BILL 18 (2015), CD1, FD1 PASSED THIRD READING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



A BILL FOR AN ORDINANCE

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED FOR THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET PROJECTS IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2016, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE TRANSIT IMPROVEMENT BOND FUND.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. General obligation bonds of the City and County of Honolulu (the "City and County") are hereby authorized for issuance and sale in a principal amount equal to the aggregate of the amounts appropriated in the Honolulu Authority for Rapid Transportation (HART) Capital Budget and Program Ordinance for the fiscal year ending June 30, 2016, and specified in said Ordinance to be financed from the proceeds of the sale of such bonds and expended from the Transit Improvement Bond Fund. Unless the Council of the City and County shall determine by resolution of one reading adopted prior to the sale of such bonds the form (including "book-entry"), date, denominations and maturities of such bonds, the place or places of payment of the principal of and interest on such bonds, the place or places of registration of such bonds, the times, prices and method of redemption of such bonds, and the basis of award of such bonds, the Director of Budget and Fiscal Services is hereby authorized to perform such actions as provided by Section 47-7, Hawaii Revised Statutes (HRS); provided, however, that the Council of the City and County shall, in any case: 1) determine the principal amount of such bonds to be offered for sale from time to time by resolution of one reading adopted prior to such sale and 2) prior to the sale of such bonds, the City and County and HART shall enter into a memorandum of understanding subject to the provisions of Section 4. Without any further authorization from or action by the Council of the City and County but subject to the provisions hereof and of applicable law, the Director of Budget and Fiscal Services is hereby authorized to offer the general obligation bonds authorized hereby at one time or from time to time, at competitive sale or at negotiated sale to qualified purchasers in accordance with Section 47-8, HRS, in each case at such price or prices and upon such terms and conditions as the Director shall approve and determine to be in the best interest of the City and County. Without limiting the generality of the foregoing, with respect to the sale of any of the general obligation bonds authorized hereby, the Director of Budget and Fiscal Services is hereby authorized to retain bond counsel, paying agents, registrars and financial and accounting consultants, upon such terms and conditions as



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the Director shall deem advisable and in the best interest of the City and County, to select the date for such sale, to publish and distribute a Notice of Sale or to enter into a contract for the sale of such general obligation bonds, in each case in such form and containing such terms and conditions as the Director shall approve and deem advisable, to distribute an Official Statement and such other information relating to such general obligation bonds as the Director may deem advisable, to receive bids for the sale of such general obligation bonds or the portion thereof being offered and to award the sale thereof being offered to the bidder offering the lowest interest cost therefor, in accordance with the applicable Notice of Sale, if any; provided that the Director of Budget and Fiscal Services may reserve the right to reject any and all bids. Subject to the provisions hereof and applicable law, without further action of the Council of the City and County, the general obligation bonds authorized hereby or any portion thereof shall bear interest at the rates per annum as specified in the contract or contracts approved or in the bid or bids accepted. The Director of Budget and Fiscal Services and all officials of the City and County are hereby authorized to take such action and execute such orders, receipts and other documents as may be necessary in order to effectuate the sale of the general obligation bonds authorized hereby or any portion thereof, and, if any contract therefor be approved or any bid therefor be accepted, the preparation, execution and delivery thereof, in accordance with the provisions hereof and applicable law. In connection with, and at any time before or after the issuance of, such bonds, the Director may arrange for any insurance or banking arrangements as the Director may deem necessary or desirable, including, without limitation, credit or liquidity support facilities and interest rate swaps, swaptions, floors or caps and other similar contracts to hedge or reduce interest rate or similar risk or the cost of borrowing when used in conjunction with bonds.

SECTION 2. The proceeds of the bonds herein authorized can only be used to pay all of or part of those appropriations for public improvements of the City and County made in the aforesaid HART Capital Budget and Program Ordinance and specified therein to be financed from the proceeds of general obligation bonds and to be expended from the Transit Improvement Bond Fund.

SECTION 3. Pursuant to Section 47-16, HRS, the Director of Budget and Fiscal Services is hereby authorized to issue and sell general obligation bond anticipation notes in anticipation of the issuance of all or any portion of the bonds authorized hereby. The notes authorized hereby may be sold at one time or in part from time to time in such principal amounts as the Director of Budget and Fiscal Services shall determine to be in the best interest of the City and County; provided, however, that the Council of the City and County shall: 1) determine the principal amount of such notes to be offered for sale from time to time by resolution of one reading adopted prior to such sale; and 2) prior to the sale of such notes, the City and HART shall enter into a memorandum of



A BILL FOR AN ORDINANCE

understanding subject to the provisions of Section 4. Nothing herein prohibits the contemporaneous issuance and sale of general obligation bonds and notes.

SECTION 4. Memorandum of Understanding Relating to HART. Prior to the sale of general obligation bonds and bond anticipation notes to pay for appropriations for projects in the HART Capital Budget and Program Ordinance for the fiscal year ending June 30, 2016, the City and County shall submit to the Council, for approval by the Council by resolution, a memorandum of understanding between HART and the City and County setting forth the obligations of HART to the City and County concerning the general obligation indebtedness. The memorandum of understanding must require that the City and County be reimbursed by HART for any payments of principal and interest and any other costs incurred by the City and County relating to the issuance of the general obligation indebtedness.

SECTION 5. The City and County of Honolulu shall comply with all applicable provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended, and applicable regulations of the Internal Revenue Service proposed or promulgated thereunder in the issuance of the bonds and notes authorized hereby and the application of the proceeds thereof.

SECTION 6. Any part of the bonds herein authorized remaining unissued and not required for any part of the appropriations hereinabove referred to made in the aforesaid HART Capital Budget and Program Ordinance will lapse as provided by the Charter.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

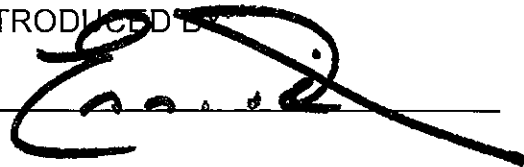
ORDINANCE _____

BILL 19 (2015)

A BILL FOR AN ORDINANCE

SECTION 7. This Ordinance takes effect upon its approval.

INTRODUCED BY

 (br)

DATE OF INTRODUCTION:

MAR 2 2015

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

ORDINANCE

BILL 19 (2015)

Introduced: 03/02/15

By: ERNEST MARTIN (BR)

Committee: BUDGET

Title: A BILL FOR AN AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED FOR THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET PROJECTS IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2016, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE TRANSIT IMPROVEMENT BOND FUND.

Voting Legend: * = Aye w/Reservations

03/11/15	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 ABSENT: PINE.
04/08/15	BUDGET	CR-129 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
04/11/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/22/15	COUNCIL/PUBLIC HEARING	CR-129 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 NO: KOBAYASHI.
04/29/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
05/12/15	SPECIAL BUDGET	CR-172 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
06/03/15	COUNCIL	CR-172 ADOPTED AND BILL 19 (2015) PASSED THIRD READING. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 NO: KOBAYASHI.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER